

Housing and Property Chamber
First-tier Tribunal for Scotland



Decision with statement of reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 16 of the Housing (Scotland) Act 2014 (the 2014 Act) and Rule 70 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (the 2017 Rules)

Chamber Ref: FTS/HPC/CV/25/2359

Re: Property at 39 Hurrier Drive, Twechar, East Dunbartonshire, G65 9RR (the Property)

Parties:

Places for People Scotland Ltd, 1 Hay Avenue, Edinburgh, EH16 4RW (the Applicant)

Patten & Prentice LLP, 2 Ardgowan Square, Greenock, PA16 8PP (the Applicant's Representative)

Ms Karen McCafferty, 39 Hurrier Drive, Twechar, East Dunbartonshire, G65 9RR (the Respondent)

Tribunal Members:

Ms Susanne L. M. Tanner KC (Legal Member)

Mr Ahsan Khan (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (the Tribunal) determined that the Respondent should pay the Applicant the sum of NINE THOUSAND ONE HUNDRED AND FORTY SEVEN POUNDS AND 28 PENCE (£9147.28) STERLING; and made an Order for Payment in respect of the said sum.

Reasons

Procedural Background

1. On 3 June 2025, the Applicant's Representative made an application to the tribunal in terms of Section 16 of the Housing (Scotland) Act 2014 (the 2014 Act) and Rule 70 of the First-tier Tribunal for Scotland Housing and Property Chamber (Rules of Procedure) Regulations 2017 (the 2017 Rules).
2. In the Application, the Applicant sought a payment order against the Respondent in respect of rent arrears of £3789.76.
3. The Applicants' Representative provided the following documents in support of the Application:
 - 3.1. Tenancy agreement dated 23 November 2017;
 - 3.2. Form AT5 dated 23 November 2017;
 - 3.3. Covering letter to the Respondent re. pre action and Guidance notes dated 12 March 2025;
 - 3.4. Covering letter to the Respondent with Form AT6 re. Grounds 11 and 12, Notice to Quit, Section 33 Notice and guidance notes dated 27 March 2025, together with an execution of service by Sheriff Officer;
 - 3.5. Copy of rent increase notice to tenant dated 26 April 2023;
 - 3.6. Copy of rent increase notice to tenant dated 10 April 2024;
 - 3.7. Rent statement as of 28 May 2025;
 - 3.8. Notice under Section 11 of the Homelessness etc. (Scotland) Act 2003 dated 28 May 2025; and
 - 3.9. Letter to the Respondent re. pre action requirements dated 28 May 2025.
4. The tribunal's administration obtained the Title Sheet to the property on 6 June 2025 which shows that the Applicant is the registered proprietor of the Property.
5. The Application was accepted for determination and a Case Management Discussion (CMD) was fixed for 10 December 2025 at 1000 by teleconference.
6. By letter of 21 October 2025, parties were notified by letter of the date, time and place of the CMD and told that they were required to attend. Parties were also advised in the same letter that the tribunal may do anything at a CMD which it may do at a hearing, including making a decision on the Application, which may involve making or refusing an eviction order. If parties do not attend the CMD this will not stop a decision or order being made by the tribunal if the tribunal considers that it has sufficient information before it to do so and the procedure has been fair. The Respondent was asked to submit any written representations to the tribunal's offices by 11 November 2025.

7. The Application paperwork and notification of the date, time and place of the CMD was served on the Respondent by Sheriff Officers on 24 October 2025.
8. The Respondent did not submit any written representations or make any contact with the tribunal's administration before the CMD.
9. The Applicant's Representative submitted two updated rent statements to the tribunal on 21 October 2025 and 17 November 2025 and sought leave to amend the sum sued for. Both emails were copied to the Respondent. By Directions dated 21 October 2025 and 17 November 2025, the tribunal consented to the amendments. The amendment to the sum sued for in terms of the second application is £9147.28 being the rent due to 30 November 2025.

CMD: 10 December 2025, 1000h, Teleconference

10. The Applicant's Representative, Mr O'Donnell, solicitor, attended.
11. The Respondent did not attend. The tribunal was satisfied on the basis of the certificate of service by Sheriff Officers that she had received the Application paperwork and notification of the CMD. The tribunal decided to proceed in her absence on the basis of the information before it and representations of the Applicant's Representative in terms of Rule 29 of the 2017 Rules.
12. The CMD was heard with the CMD in the related eviction application EV/25/2358.
13. Mr O'Donnell stated that the tribunal will see that the rental account was largely maintained for a fairly lengthy period of time. There was a dip from around roughly May 2023 until December 2023 although the tenant appeared to have got the arrears back on track. The debt started to accrue in December of 2024 when rent was missed. There was no further payment until a single payment of £1200 was made on 3 March 2025. Mr O'Donnell referred to the rent statement lodged on 17 November 2025 which shows arrears of £9147.28 to 30 November 2025. Mr O'Donnell said that a further rent statement has been produced but it has not been apportioned to 10 December 2025. He relied on the rental arrears figure as at 30 November 2025. The monthly rental is £892.92, due on 1st of each month.
14. The Applicant's Representative invited the tribunal to make a payment order in the sum of £9147.28, being the rent arrears as at 30 November 2025.
15. The Respondent has not engaged with the Applicant or Applicant's Representative despite repeated attempts to do so. The Respondent has not engaged with the tribunal proceedings. There is no payment plan and no contact from the Respondent.

16. The tribunal makes the following findings-in-fact:

- 16.1. The Applicant is the registered proprietor of the Property.
- 16.2. There is a short assured tenancy agreement between the Applicant and the Respondent for the Property which began on 23 November 2017 and is continuing.
- 16.3. Rent was originally payable at the rate of £695.00 per calendar month on 1st of each month in advance.
- 16.4. Following two rental increases, the current monthly rent is £892.92, due on 1st of each calendar month.
- 16.5. The Respondent has been continuously in rent arrears since December 2024.
- 16.6. As at 30 November 2025, the rent arrears were £9147.28.

Discussion

- 17. The tribunal determined on the basis of the Application, including supporting documents that the Applicant has proved that the Respondent owes the Applicant the sum of £9147.28 in respect of rent arrears for the Property for the period to 30 November 2025; and made an order for payment by the Respondent to the Applicant for the said sum in respect of the said period.

Susanne Tanner

Ms Susanne L. M. Tanner K.C.
Legal Member/Chair

10 December 2025